

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2002 FEB -5 P 3:35

WILLIAM A. TACCINO

\*

CLERK'S OFFICE  
AT BALTIMORE

Plaintiff

\*

DEPUTY

vs.

\*

CIVIL ACTION NO. MJG-01-341

UNITED STATES OF AMERICA,  
U.S.P.S.

\*

Defendant

\*

\* \* \* \* \*

MEMORANDUM AND ORDER

The Court has before it Plaintiff's Motion for Reconsideration and the materials submitted relating thereto. The Court finds that neither a response nor a hearing is necessary.

By Memorandum and Order of December 17, 2001, the Court granted Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction. In the Memorandum and Order, the Court recounted Plaintiff's failures timely to respond to the motion. Plaintiff's response was due June 1. On the due date of the response, June 1, Plaintiff filed a request for extension of time to respond which was granted. The due date for a response was extended. On July 9, Plaintiff again requested an extension of time to file a response to the said motion. The second request for extension was granted; the due date was extended to September 11. On September 11, the due date of the response, Plaintiff yet again requested an extension. This third request for extension

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was granted; the due date for the response was extended to December 11. On December 11, the extended due date for the response, Plaintiff once again filed a fourth request for extension. The Court denied Plaintiff's fourth request for extension; however, the Court gave Plaintiff yet another chance to file a timely response to the motion. The Court stated that:

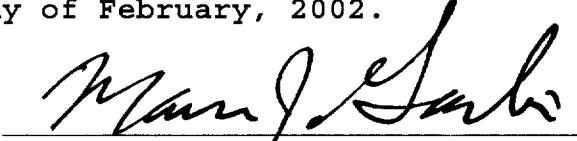
The Court will consider a motion for reconsideration filed by January 31, 2002 which adequately addresses the issues presented by Defendant's motion.

Plaintiff did not file the instant motion by January 31, 2002. Thus, the Court will not consider the response timely. Moreover, even if the instant motion were considered on the merits, Plaintiff does not adequately address the issues presented by the Defendant's motion.

For the foregoing reasons:

1. Plaintiff's Motion for Reconsideration is DENIED.
2. The Judgment Order of December 17, 2001 remains in force and effect.

SO ORDERED this 5<sup>th</sup> day of February, 2002.

  
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Marvin J. Garbis  
United States District Judge